

1 HARVEY SISKIND LLP
2 D. Peter Harvey (SBN 55712)
pharvey@harveysiskind.com
3 Seth I. Appel (SBN 233421)
sappel@harveysiskind.com
4 4 Embarcadero Center, 39th Floor
San Francisco, California 94111
5 Telephone: (415) 354-0100
Facsimile: (415) 391-7124

7 Attorneys for Defendants
8 RED HAT, INC. and
RED HAT MIDDLEWARE, LLC

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

FIRESTAR SOFTWARE, INC.,

Case No. C 07-80204 MISC MMC (EMC)

Plaintiff,

V.

RED HAT, INC., et al.,

Defendants.

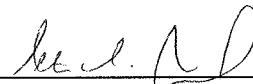
**STIPULATION AND [PROPOSED]
ORDER RESCHEDULING HEARING
ON THOUGHT, INC.'S MOTION TO
QUASH THIRD PARTY SUBPOENA, OR
IN THE ALTERNATIVE, FOR A
PROTECTIVE ORDER**

1 The Parties hereby stipulate that the hearing on Thought, Inc.'s motion to quash third party
2 subpoena, or in the alternative, for a protective order be rescheduled to December 19, 2007, at 10:30
3 a.m.

4 Dated: November 1, 2007

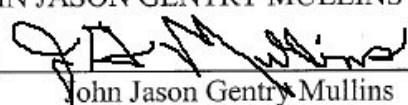
Respectfully submitted,

5 HARVEY SISKIND LLP

6 By: 
7 Seth I. Appel

8 Attorneys for Defendants
9 RED HAT, INC. and RED HAT MIDDLEWARE, LLC.

10 JOHN JASON GENTRY MULLINS

11 By: 
12 John Jason Gentry Mullins

13 Attorneys for Third Party
14 THOUGHT, INC.

15
16 **[PROPOSED] ORDER**

17 The Parties have stipulated that the hearing on Thought, Inc.'s motion to quash third party
18 subpoena, or in the alternative, for a protective order be rescheduled to December 19, 2007, at 10:30
19 a.m.

20 Good cause appearing therefore:

21 IT IS SO ORDERED.

22 Dated: November 2, 2007

